IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 1990 of 2005

Between:

A.Narsimha, s/o late Veeraiah,
r/o 6-100, Narkatpally, Nalgonda District.

..... PETITIONER

AND

1. APSRTC Musheerabad, Hyderabad

rep., by its Managing Director.

2 The Depot Manager, APSRTC,

Bus Depot, Narketpally, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ or direction particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents in not paying the gratuity for the out of service period i.e., from 29-10-1992 to 16-03-1997 as arbitrary, illegal, in violation of Art.14, 16 and 21 of the Constitution of India, and also contrary to the purport of the award in I.D.No.491 of 1993 and consequently direct the respondents to arrange the gratuity for the out of service period i.e., 29-10-1992 to 16-03-1997 in the interest of justice and fair play.

Counsel for the Petitioner: MR.V.NARASIMHA GOUD

Counsel for the Respondents: MR.V.T.M.PRASAD

The Court, at the admission stage, made the following :

THE HONOURABLE SRI JUSTICE K.C.BHANU

WRIT PETITION NO : 1990 of 2005

ORDER:

The matter in the present writ petition is squarely covered by the order of this Court in W.P.No.4206 of 1997, dated
02-04-1998. Accordingly, this writ petition is disposed of following the order passed in the said writ petition.

2. Therefore, the respondents are directed to compute the gratuity payable to the petitioner taking into account the out of employment period i.e., between 29-10-1992 and
16-03-1997 and after so computing to pay the balance of gratuity to the petitioner within a period of two months from the date of receipt of a copy of this order. No costs.

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February 8, 2005

Kvr

To

1. The Managing Director.

APSRTC Musheerabad, Hyderabad

2 The Depot Manager, APSRTC,

Bus Depot, Narketpally, Nalgonda District.

3 2 C.D copies.